Application No.: 09/417,767
Response Under 37 C.F.R. §1.116 dated May 11, 2004
Reply to the Office Action of February 11, 2004

REMARKS

Claims 1 – 6 remain pending in the present application. The objections and rejections set forth in the Office Action are respectfully traversed below. Entry of this Amendment is respectfully requested to place the present application into condition of allowance or to place the present application into a better condition for any subsequent prosecution and/or appeal.

The Specification

The Office Action identified several typographic errors in the specification. The specification was amended above, accordingly.

Objections and Rejections Pertaining to "Preceding" and "Current" Image Signals/Frames

On pages 3-4 of the Office Action, objections to the specification, objections to the drawings, and rejections under 35 USC § 112, first paragraph, were made with regard to claimed terms "preceding image signal," "current image signal," "preceding screen," and "current screen."

It is submitted that the present application meets all the requirements under 35 USC 112, first paragraph, with regard to these features. For instance, page 14, lines 1-9 and page 15, lines 15-24 of the present specification clearly describe these features. In addition, Figure 6 depicts these features, as is described in the corresponding portions of the specification, as well as in the portions identified above.

In particular, the present application details and depicts calculation of an optimal compression ratio for image data created in a preceding frame, i.e., in an (n-1)th-frame which is used as the compression ratio to compress the image data of a present/current frame, i.e., an n-th

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frame (see e. g. page 14, lines 5-7; page 15, lines 17-19; and steps S43, S49, and S63 in Figures 6

and 7).

Claim 1 was also amended above to further clarify the relationship between the current

screen and the preceding screen.

Accordingly, the objections to the specification and drawings, as well as rejections under

35 USC 112, first paragraph, should be withdrawn.

Drawing Objection

Item 3 on page 3 of the Office Action identified an additional objection to the drawings

regarding a missing reference numeral 21. Accordingly, the specification on page 16, line 14,

was amended to delete the use of reference number 21 (which is not shown in the drawings).

The Prior Art Rejections

Claims 1, 2 and 4 were rejected under 35 USC 102 over **Acharya** (USP 6,301,392).

Claim 3 was rejected under 35 USC 103 over **Acharya**, and further in view of **Dunton** (USP

6,151,069). Claims 5 and 6 were rejected under 35 USC 103 over Acharya and **Dunton**, and

further in view of **Mizoguchi** (USP 6,407,772).

It is submitted that nothing in the prior art teaches or suggests all the features recited in

the present claimed invention. For instance, independent claim 1 recites "a calculator for

calculating a specific compression ratio capable of compressing a *preceding* image signal,

outputted from said processor and corresponding to a *preceding* screen, to specify a size" and "a

compressor for compressing a *current* image signal, outputted from said processor and

corresponding to a *current* screen, using the specific compression ratio." As explained in the

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present specification, portions of which were identified above, the use of the claimed compression ratio (calculated for a *preceding* image signal) for compressing the *current* image signal makes it possible to compress image signals down to near the target size in a shorter amount of time when continuously shooting a subject. The cited prior art does not teach or suggest at these claimed features in independent claim 1.

The prior art references to **Dunton** and **Mizoguchi** were addressed in the previous Amendment dated December 2, 2003, the explanations for which are incorporated herein by reference. The new primary reference to **Acharya** also does not teach or suggest at least these claimed features.

Acharya merely describes an *adaptive* compression process that dynamically calculates an optimal compression ratio (see e.g. column 3, line 66 to column 4, line 14). As part of this calculation of the compression ratio, **Acharya** describes the determination of the appropriate N quantization threshold parameter sets based on an indexing ratio R. However, nothing in the determination of the appropriate quantization threshold parameter, nor in the calculation of the indexing ratio R addresses or utilizes the present claimed compression ratio for a *preceding* screen to use in compressing image data for a *current* screen. Indeed, **Acharya** always calculates the optimal compression for each current screen (*not* using the compression ratio of a *preceding* screen). Again, this is similar to the deficiencies of the conventional art described in the background section of the present application. For at least these reasons, the present claimed invention patentably distinguishes over the prior art. Therefore, entry of the present amendment and an early Notice of Allowance are respectfully requested.

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If the Examiner believes that this application is not now in condition for allowance, the

Examiner is requested to contact the undersigned attorney at the telephone number indicated

below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an

appropriate extension of time. Please charge any fees for such an extension of time and any

other fees that may be due with respect to this paper to Deposit Account No. 50-2866.

Respectfully Submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

John P. Kong
Attorney for Applicant
Registration No.: 40,054

JPK:kal
1250 Connecticut Avenue
Suite 700
Washington, D.C. 20036
(202) 822-1100
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